

REMARKS

Claims 1-5 are currently pending in the subject application. Claims 1 and 5 have been amended herein in order to more particularly point out and distinctly claim subject matter. The Applicants respectfully submit that no new matter has been added. It is believed that this paper is fully responsive to the Office Action dated January 20, 2011.

1. The Examiner has rejected claims 1-5 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,688,311 (Aruga) in view of U.S. Patent No. 5,462,603 (Murakami) and U.S. Patent No. 5,423,971 (Arnold).

Applicants respectfully traverse this rejection, for the following reasons.

There are substantial, important differences between the art relied upon by the Examiner and the combinations of features as set forth in the claims.

The U.S. Patent and Trademark Office has the burden of proof to show that an applicant is not entitled to a patent if the claimed subject matter is anticipated by, or is obvious from, the art of record. A patent applicant is entitled to a patent unless the U.S. Patent and Trademark Office establishes otherwise.

Aruga, Murakami, and Arnold, alone or in combination, fail to describe, teach, or suggest the combination of features as set forth in claim 1, as amended, including at least the

following features: “a high-frequency electrode having at least one insertion hole for receiving at least one of the multiple pillars, the high-frequency electrode being installed with a gap between the electrode and the at least one of the multiple pillars within the electrode arranging space.”

Aruga, Murakami, and Arnold, alone or in combination, fail to describe, teach, or suggest the combination of features as set forth in claim 5, as amended, including at least the following features: “a high-frequency electrode having at least one insertion hole for receiving at least one of the multiple pillars, the high-frequency electrode being installed with a gap between the electrode and the at least one of the multiple pillars within the electrode arranging space.”

In view of the above, Applicants respectfully submit that the rejection of claims 1 and 5 should be withdrawn. Additionally, it is submitted that the rejection of claims 2-4 should be withdrawn by virtue of their dependency.

2. The Examiner has rejected claims 1 and 5 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 or 8 of U.S. Patent No. 7,842,160 (Kasanami '160).

Applicants respectfully traverse this rejection, for the following reasons.

There are substantial, important differences between the art relied upon by the Examiner and the combinations of features as set forth in the claims.

The U.S. Patent and Trademark Office has the burden of proof to show that an applicant is not entitled to a patent if the claimed subject matter is anticipated by, or is obvious from, the art of record. A patent applicant is entitled to a patent unless the U.S. Patent and Trademark Office establishes otherwise.

Regarding the subject application:

The susceptor has multiple pillars joining the bottom and ceiling of the wall.

These multiple pillars render the following effects:

(i) Damage to the susceptor main body can be prevented since the strength of the electrode arranging space is reinforced by the pillars (See page 4, lines 19-20 of the specification of the present application).

(ii) The strength of the supporting plate where the supporting section is formed and the electrode arranging plate where the electrode arranging hole is formed, can be boosted by providing a pillar on the electrode arranging plate on the bottom level forming a portion of the susceptor main body, and by fixing the upper surface of the pillar to the lower surface of the supporting plate on the upper level, rendering the effect that damage to the supporting plate and the electrode arranging plate and therefore the susceptor main body can be prevented (See page 15, lines 1-10 of the specification of the present application).

(iii) The strength of the susceptor main body decreases as the susceptor is heated to a high temperature, and therefore the increase of the strength of the susceptor main body can

accommodate high temperature processing (See page 16, lines 19-22 of the specification of the present application).

Regarding **Kasanami '160** (Claim 1 and Claim 8):

An electrode installation space is formed inside the substrate holding means for installing a high frequency electrode therein, and the high frequency electrode is installed with a clearance between itself and the walls forming the space.

Namely, **Kasanami '160** does not have the multiple pillars as disclosed by the subject application. Accordingly, **Kasanami '160** does not render the effect of the above items (i) to (iii).

Kasanami '160 fails to describe, teach, or suggest the combination of features as set forth in claim 1, as amended, including at least the following features: “a high-frequency electrode having at least one insertion hole for receiving at least one of the multiple pillars, the high-frequency electrode being installed with a gap between the electrode and the at least one of the multiple pillars within the electrode arranging space.”

Kasanami '160 fails to describe, teach, or suggest the combination of features as set forth in claim 5, as amended, including at least the following features: “a high-frequency electrode having at least one insertion hole for receiving at least one of the multiple pillars, the high-frequency electrode being installed with a gap between the electrode and the at least one of the multiple pillars within the electrode arranging space.”

U.S. Patent Application Serial No.: **10/589,490**

Response/Amendment filed April 19, 2011

Reply to OA dated January 20, 2011

Accordingly, in view of the above remarks and amendments, Applicants respectfully submit that this rejection of claims 1 and 5 should be withdrawn.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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